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Docket No. 455-026

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

JEFFREY S. KIEL ET AL.

Serial No.: 10/805,806

: Group Art Unit: 1614

Filed: 03/22/2004

For: PHENOLIC ACID SALTS OF GABAPENTIN IN
SOLID DOSAGE FORMS AND METHODS OF USE

INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant discloses to the Examiner under 37 CFR 1.56, and 37 CFR 1.97-1.98, as revised (1135 OG 13) and effective March 16, 1992, the information listed on the attached form PTO/SB/08A, Substitute for form 1449A/PTO. This information may be found to be material to this invention under the current applicable patent law and as interpreted by the US PTO Rules, as cited above. Review and consideration of the listed references/information during substantive examination of this application is respectfully requested.

Applicant specifically emphasizes that this statement, and/or the act of providing copies of these references, is not to be construed as an admission that all or any

of the references are prior art to the specific invention disclosed and claimed.

Also, nothing in this statement is to be construed as a representation that this is the only material information to be found, or the best. It, however, is the only information known to the applicant at this time that is believed to meet the "materiality standard" of the law. If additional qualifying references or other information is discovered in the future, it will be submitted promptly to fulfill applicant's continuing duty of disclosure under 37 CFR 1.99.

Respectfully submitted,

KING & SCHICKLI, PLLC

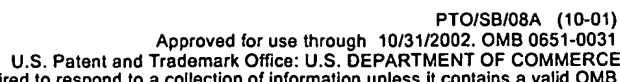


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CERTIFICATE OF MAILING

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| Application Number | 10/805,806 |
| Filing Date | 03/22/2004 |
| First Named Inventor | JEFFREY S. KIEL |
| Art Unit | 1614 |
| Examiner Name | |
| Attorney Docket Number | 455-026 |

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Substitute for form 1449A/PTO

(use as many sheets as necessary)

Sheet

of

Complete if Known

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| Application Number | 10/805,806 |
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| First Named Inventor | JEFFREY S. KIEL |
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| Art Unit | 1614 |
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Examiner Name

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|------------------------|---------|
| Attorney Docket Number | 455-026 |
|------------------------|---------|

| Examiner Initials ² | Cite No. ¹ | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|--------------------------------|-----------------------|---|--------------------------------|--|---|
| | | Number- Kind Code ² (if known) | | | |
| | 21 | US- 6,740,312 | 05/25/2004 | CHOPIN ET AL. | |
| | 22 | US- 6,703,044 | 03/09/2004 | PINHASI ET AL. | |
| | 23 | US- 6,509,492 | 01/21/2003 | VENKATARAMAN | |
| | 24 | US- 6,403,119 | 06/11/2002 | OPPENHEIM ET AL. | |
| | 25 | US- 6,287,597 | 09/11/2001 | GORDZIEL | |
| | 26 | US- 6,187,315 | 02/13/2001 | FALCON | |
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

English language translation is attached.

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| Substitute for form 1449B/PTO | | Complete if Known | | |
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary) | | Application Number | 10/805,806 | |
| | | Filing Date | 03/22/2004 | |
| | | First Named Inventor | JEFFREY S. KIEL | |
| | | Group Art Unit | 1614 | |
| | | Examiner Name | | |
| Sheet | | of | Attorney Docket Number | 455-026 |

| OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS | | | |
|---|-----------------------|--|----------------|
| Examiner Initials | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published | T ² |
| | 1 | CYPRESS PHARMACEUTICAL, INC., "R-Tannic-S A/D," RX Only, Cypress Pharmaceutical, Inc., (Madison, MS), p. 1, 2 (March 1, 2001). | |
| | 2 | DSC LABORATORIES, "Phenylephrine Tannate/Pyrimilamine Tannate Suspension," RX Only, DSC Laboratories (Muskegon, MI), p. 1, 2 (Aug. 1, 2001). | |
| | 3 | RONALD GOLDBERG, M.D. and FRANKLIN SHUMAN, M.D., "Evaluation of a Prolonged Action Oral Antihistaminic Preparation as Treatment for Allergic Disorders," Clinical Report, Clinical Medicine (Washington), Vol. 72 (No. 9), pp. 1475-1479 (Sept. 1, 1965). | |
| | 4 | JOHN WEILER, M.D. ET AL., "Randomized, double-blind, parallel groups, placebo-controlled study of efficacy and safety of Rynatan in the treatment of allergic rhinitis using an acute model," Annals of Allergy, ACAI (Iowa City, IA), Vol. 64 (No. 1), p. 63-67 (Jan. 1, 1990). | |
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| Examiner Signature | | Date Considered | |
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